

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

<p>RODNEY BUSH-ROWLAND,</p> <p>Petitioner,</p> <p>v.</p> <p>UNITED STATES OF AMERICA,</p> <p>Respondent.</p>	<p>Civil Action No. 21-19652 (GC)</p> <p><b><u>MEMORANDUM &amp; ORDER</u></b></p>
--	---

Petitioner Rodney Bush-Rowland is proceeding *pro se* with an amended motion to vacate his sentence pursuant to 28 U.S.C. § 2255. (ECF No. 4 (“Motion to Vacate”).)

On September 9, 2024, this Court denied the Motion to Vacate in part, denied a certificate of appealability as to all of Petitioner’s claims other than his *Flores-Ortega* claim, and granted an evidentiary hearing solely as to Petitioner’s *Flores-Ortega* claim asserting ineffectiveness assistance of counsel related to counsel’s failure to file an appeal on Petitioner’s behalf. (ECF No. 19 at 1.) The Court further ordered that Petitioner, to the extent he wishes to be appointed counsel to represent him at the evidentiary hearing to be held in this matter pursuant to Rule 8(c) of the Rules Governing Section 2255 Proceedings and 18 U.S.C. § 3006A, should file proof of his indigence within thirty days. (*Id.* at 1-2.) The Court would then schedule the evidentiary hearing following resolution of the issue of appointed counsel. (*Id.* at 2.) A copy of the Court’s Order, the accompanying Opinion (ECF No. 18), and the CJA Form 23 Financial Affidavit (Rev. 11/11) were sent to Petitioner by regular mail.

Petitioner has not filed proof of his indigence.

**IT IS**, therefore, on this 20<sup>th</sup> day of December, 2024, **ORDERED** as follows:

**ORDERED** that, to the extent Petitioner wishes to be appointed counsel to represent him at the evidentiary hearing to be held in this matter pursuant to Rule 8(c) of the Rules Governing Section 2255 Proceedings and 18 U.S.C. § 3006A, he shall file proof of his indigence within 30 days of the date of entry of this Order; and it is further

**ORDERED** that the Clerk of the Court shall send Petitioner a copy of the CJA Form 23 Financial Affidavit (Rev. 11/11) by regular U.S. mail; and it is further

**ORDERED** that this Court will schedule the evidentiary hearing after the resolution of the issue of appointed counsel; and it is further

**ORDERED** that the Clerk of the Court shall **ADMINISTRATIVELY TERMINATE** this matter pending the scheduling of a hearing; and it is further

**ORDERED** that the Clerk of the Court shall serve a copy of this Order upon Petitioner by regular U.S. mail.

  
\_\_\_\_\_  
Honorable Georgette Castner  
United States District Judge